

01/17/2006 13:07 FAX 858 597 1585

McDERMOTT, WILL &amp; EMERY

001/004

**McDermott  
Will & Emery****RECEIVED  
CENTRAL FAX CENTER****JAN 17 2006**Boston Brussels Chicago Dusseldorf London Los Angeles Miami Milan  
Munich New York Orange County Rome San Diego Silicon Valley Washington, D.C.**FACSIMILE****Date:** January 17, 2006**Time Sent:**

---

| <b>To:</b>                                                                                                               | <b>Company:</b>                | <b>Facsimile No:</b> | <b>Telephone No:</b> |
|--------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------|----------------------|
| Commissioner for Patents<br>Mail Stop: Amendment<br>Confirmation No.: 9944<br>Grp./A.U.: 2668<br>Examiner: Steven Blount | U.S. Patent & Trademark Office | 571.273.8300         |                      |

---

---

|                            |                  |                                          |              |
|----------------------------|------------------|------------------------------------------|--------------|
| <b>From:</b>               | John A. Hankins  | <i>Direct Phone:</i>                     | 858.643.1423 |
| <i>E-Mail:</i>             | jhankins@mwe.com | <i>Direct Fax:</i>                       | 858.597.1585 |
| <i>Sent By:</i>            | Brenda Lewis     | <i>Direct Phone:</i>                     |              |
| <i>Client/Matter/Tkpr:</i> | 058799-0029      | <i>Original to Follow by Mail:</i>       | No           |
|                            |                  | <i>Number of Pages, Including Cover:</i> | 4            |

---

**Re:** U.S. Patent Application No.09/702,722

---

**Message:****Official Transmission**

Attached please find:

Transmittal (1 page)

Statement of Substance of Interview (2 pages)

---

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copy of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the original message to us at the below address by mail. Thank you.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL AS SOON AS POSSIBLE.**

Main Facsimile: 858.597.1585 Facsimile Operator: 858.643.1400

U.S. practice conducted through McDermott Will &amp; Emery LLP.

4370 La Jolla Village Drive Suite 700 San Diego, California 92122-1252 Telephone: 858.535.9001

# BEST AVAILABLE COPY

01/17/2006 13:07 FAX 858 597 1585

McDERMOTT, WILL & EMERY

002/004

Docket No.: 058799-0029

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Shigeyuki SUDO  
 Appl. No. : 9/702,722  
 Filed : November 1, 2000  
 Title : HANDOFF CONTROL METHOD AND A  
 MOBILE STATION EMPLOYING THE  
 SAME

Customer No.: 41552  
 Confirmation No.: 9518

RECEIVED  
 CENTRAL FAX CENTER

### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile  
 transmitted to the Patent and Trademark Office on Jan. 17,

JAN 17 2006

2006

Brenda Lewis

Grp./A.U. : 2668  
 Examiner: : Steven Blount

Mail Stop AMENDMENT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Statement of Substance of Interview in the above-identified application.

- ☒ No additional fee is required.  
☐ Applicant is entitled to small entity status under 37 CFR 1.27  
☐ Also attached:

The fee has been calculated as shown below:

|                             | NO. OF<br>CLAIMS | HIGHEST<br>PREVIOUSLY<br>PAID FOR | EXTRA<br>CLAIMS | RATE     | FEE    |
|-----------------------------|------------------|-----------------------------------|-----------------|----------|--------|
| Total Claims                |                  |                                   | 0               | \$50.00  | \$0.00 |
| Independent Claims          |                  |                                   | 0               | \$200.00 | \$0.00 |
| Search Fee                  |                  |                                   |                 |          | \$0.00 |
| Examination Fee             |                  |                                   |                 |          | \$0.00 |
| Fee for extension of time   |                  |                                   |                 |          | \$0.00 |
| Total of Above Calculations |                  |                                   |                 |          | \$0.00 |

- ☐ Please charge my Deposit Account No. 502624 in the amount of \$0.00. An additional copy of this transmittal sheet is submitted herewith.  
☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment, to Deposit Account No. 502624, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,  
 McDERMOTT WILL & EMERY LLP

John A. Hankins

Registration No. 32,029

Please recognize our Customer No. 41552 as our  
 correspondence address.

4370 La Jolla Village Drive, Suite 700  
 San Diego, CA 92122  
 Phone: 858.535.9001 JAH:bsl  
 Facsimile: 858.597.1585  
 Date: January 17, 2006  
 SDO 40080-1 058799 0029

Docket No.: 058799-0029

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

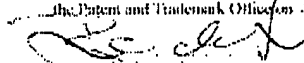
JAN 17 2006

Applicant : Shigeyuki SUDO  
Appl. No. : 9/702,722  
Filed : November 1, 2000  
Title : HANDOFF CONTROL METHOD AND A  
MOBILE STATION EMPLOYING THE  
SAME

Customer No.: 41552  
Confirmation No.: 9518

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to  
the Patent and Trademark Office on Jan. 17, 2006.

  
Brenda Lewis

Grp./A.U. : 2668  
Examiner: : Steven Blount

STATEMENT OF SUBSTANCE OF INTERVIEW

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the interview summary mailed on December 28, 2005, Applicant hereby provides a statement of the substance of the interview as follows.

Although no firm agreement was reached during the interview on December 22, 2005, Applicant's representative was provided the opportunity to discuss the present invention and references discovered by the Examiner and brought to Applicant's attention.

The present invention as currently claimed, for example, in claim 12, relates to a mobile station for use in a CDMA mobile communications system comprising a receiver which receives a wireless signal transmitted by a sector or a base station. A CDMA modem is connected to the receiver, which performs a despreading modulation operation of the wireless signal received by the receiver. A controller controls a pilot synchronization operation including an acquisition of a pilot signal and a registration operation that includes a plurality of access sequences to the sector or the base station when the acquisition of a pilot signal is successful, and turns off the receiver when the

09/702,722

mobile station fails in registration to the sector, or the base station after the registration operations are performed a pre-determined number of times.

Neither of the references U.S. Patent No. 5,507,039 nor U.S. Patent No. 6,115,582, show or suggest such features.

In other words, neither reference describes the controller that performs the registration operation that includes a plurality of access sequences when the acquisition of a pilot signal is successful, but turns off the receiver when the mobile station fails in registration after the registration operations are performed the predetermined number of times. Neither the '039 nor the '582 patent disclose or suggest anything regarding procedures to take after successful acquisition of a pilot signal, but failure in registration after trying to register a predetermined number of times.

For the above reasons, and those presented in detail in the most recently filed response, the present application should be considered in condition for allowance over the art of record and the references discussed above. Accordingly, this application should be considered in condition for allowance and the case passed to issue.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



John A. Hankins

Registration No. 32,029

Please recognize our Customer No. 41552  
as our correspondence address.

4370 La Jolla Village Drive, Suite 700  
San Diego, CA 92122  
Phone: 858.535.9001 JAH:bsl  
Facsimile: 858.597.1585  
Date: January 17, 2006